

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION - CLEVELAND

IN RE:)
Edward A Davis) CASE NO. 17-17251
Christine M Davis)
Debtors) CHAPTER 13
) JUDGE Jessica Price Smith
)
) **OBJECTION TO CONFIRMATION**
) **OF THE CHAPTER 13 PLAN**
)

Now comes Wells Fargo Bank N.A. dba Wells Fargo Dealer Services, a creditor herein holding a secured claim in the within proceedings, by and through counsel, pursuant to 11 U.S.C, Section 1324 and objects to the confirmation of the plan, based upon the proposed valuation of the collateral for the following reasons:

1. The within case was filed on December 11, 2017 and is governed by BAPCPA of 2005.
2. Creditor has a security interest in a 2013 Cadillac ATS VIN# 1G6AA5RA0D0139046.
3. On October 29, 2016, the Debtors listed above (the "Debtor") obtained a loan from Creditor for the purchase of said 2013 Cadillac ATS.
4. The monthly payment amount is \$428.38 and Creditor is owed \$18,778.33.

5. The debt was incurred within the 910-day period preceding the filing of the case; therefore, pursuant to 11 U.S.C. § 1325(a) Creditor should be provided for in Section 3.3 of the Plan to be paid in full in the amount of \$18,778.33.

6. Debtor shall provide Creditor with proof of insurance for the 2013 Cadillac ATS prior to the confirmation of the Chapter 13 Plan.

7. The objection that is raised herewith is a standing objection and shall continue with reference to the currently proposed plan and any subsequently modified plan or plans.

WHEREFORE, Creditor prays that this Court deny confirmation of the Debtor(s) proposed Chapter 13 Plan.

/s/ Edward A. Bailey
Reimer Law Co.
BY: Edward A. Bailey #0068073
BY: Richard J. LaCivita #0072368
BY: Cynthia A. Jeffrey #0062718
P.O. Box 39696
30455 Solon Road
Solon, OH 44139
Phone: (440) 600-5500
Fax: (440) 600-5522
Attorneys for Creditor
ebailey@reimerlaw.com

Notice of Hearing

Parties in interest shall take notice that the within Objection of Wells Fargo Bank N.A. dba Wells Fargo Dealer Services to Confirmation of Chapter 13 Plan shall come on for hearing on March 8, 2018 at 9:30 a.m., in conjunction with the confirmation hearing in the within matter in the Clerk of Courts, United States Bankruptcy Court, Howard M. Metzenbaum Court House 201 Superior Avenue, Cleveland, OH 44114.

/s/ Edward A. Bailey
Reimer Law Co.
BY: Edward A. Bailey #0068073
BY: Richard J. LaCivita #0072368
BY: Cynthia A. Jeffrey #0062718
P.O. Box 39696
30455 Solon Road
Solon, OH 44139
Phone: (440) 600-5500
Fax: (440) 600-5522
Attorneys for Creditor
ebailey@reimerlaw.com

CERTIFICATE OF SERVICE

I certify that on February 27, 2018, a true and correct copy of the Objection was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

1. Office of the U.S. Trustee at (registered address)@usdoj.gov
2. Lauren A. Helbling on behalf of the Chapter 13 Trustee's office at ch13trustee@ch13cleve.com
3. William Balena, Esq. on behalf of Edward A Davis, Debtor, at docket@ohbksource.com

And by regular U.S. mail, postage prepaid, to:

1. Edward A Davis
Christine M Davis, Debtor
895 Jamestown Ave
Elyria, OH 44035

/s/ Edward A. Bailey

Reimer Law Co.

BY: Edward A. Bailey #0068073
BY: Richard J. LaCivita #0072368
BY: Cynthia A. Jeffrey #0062718
P.O. Box 39696
30455 Solon Road
Solon, OH 44139
Phone: (440) 600-5500
Fax: (440) 600-5522
Attorneys for Creditor
ebailey@reimerlaw.com